

H.R. 2399. An Act to amend the Truth in Lending Act to clarify the intent of such Act and to reduce burdensome regulatory requirements on creditors.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2099. An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2099) "An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes", requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BOND, Mr. GRAMM, Mr. BURNS, Mr. STEVENS, Mr. SHELBY, Mr. BENNETT, Mr. HATFIELD, Ms. MIKULSKI, Mr. LEAHY, Mr. JOHNSTON, Mr. LAUTENBERG, Mr. KERREY, and Mr. BYRD, to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 144. An Act to amend section 526 of title 28, United States Code, to authorize awards of attorney's fees;

S. 531. An Act to authorize a circuit judge who has take part in an en banc hearing of a case to continue to participate in that case after taking senior status, and for other purposes;

S. 977. An Act to correct certain references in the Bankruptcy Code;

S. 1111. An Act to amend title 35, United States Code, with respect to patents on biotechnological processes; and

S. 1147. An Act to extend and reauthorize the Defense Production Act of 1950, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 895) "An Act to amend the Small Business Act to reduce the level of participation by the Small Business Administration in certain loans guaranteed by the Administration, and for other purposes".

The message also announced that in accordance with sections 1928a-1928d of title 22 United States Code, as amended, the Chair, on behalf of the Vice President, appoints Mr. COCHRAN, Mr. GRASSLEY, Mr. MURKOWSKI, Mr. GORTON, and Mr. AKAKA, as members of the Senate delegation to the North Atlantic Assembly Fall Meeting during the 1st session of the 104th Congress, to be held in Turin, Italy, October 5-9, 1995.

#### ¶123.10 UNFINISHED BUSINESS— APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BUNNING, pursuant to clause 5, rule I,

announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, September 28, 1995.

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. BUNNING, announced that the yeas had it.

Mr. TATE demanded a recorded vote on agreeing to the Chair's approval of the Journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative .....	Yeas .....	354
	Nays .....	59
	Answered present	1

#### ¶123.11 [Roll No. 697] AYES—354

Allard	Cox	Hansen
Andrews	Coyne	Hastert
Archer	Crapo	Hastings (WA)
Armey	Creameans	Hayes
Bachus	Cubin	Hefner
Baesler	Cunningham	Heineman
Baker (CA)	Danner	Henger
Baker (LA)	de la Garza	Hilleary
Baldacci	Deal	Hinchey
Ballenger	DeLauro	Hobson
Barcia	DeLay	Hoekstra
Barr	Dellums	Hoke
Barrett (NE)	Deutsch	Holden
Barrett (WI)	Diaz-Balart	Horn
Bartlett	Dickey	Hostettler
Barton	Dicks	Houghton
Bass	Dixon	Hoyer
Bateman	Doggett	Hunter
Becerra	Dooley	Hutchinson
Beilenson	Doolittle	Hyde
Bentsen	Dornan	Inglis
Bereuter	Doyle	Istook
Berman	Dreier	Jackson-Lee
Bevill	Duncan	Jefferson
Bilbray	Dunn	Johnson (CT)
Bilirakis	Durbin	Johnson (SD)
Bishop	Edwards	Johnson, E. B.
Bliley	Ehlers	Johnson, Sam
Blute	Ehrlich	Johnston
Boehlert	Emerson	Jones
Boehner	Engel	Kanjorski
Bonilla	English	Kasich
Bonior	Eshoo	Kelly
Bono	Evans	Kennedy (MA)
Borski	Ewing	Kennedy (RI)
Boucher	Farr	Kennelly
Brewster	Fawell	Kildee
Browder	Fields (TX)	Kim
Brown (FL)	Flake	King
Brown (OH)	Flanagan	Kingston
Brownback	Foley	Klecza
Bryant (TN)	Forbes	Klink
Bryant (TX)	Ford	Klug
Bunn	Fowler	Knollenberg
Bunning	Fox	Kolbe
Burr	Frank (MA)	LaHood
Burton	Franks (CT)	Lantos
Buyer	Franks (NJ)	Largent
Callahan	Frelinghuysen	LaTourette
Calvert	Frisa	Laughlin
Camp	Galleghy	Lazio
Canady	Ganske	Lewis (CA)
Cardin	Gejdenson	Lewis (KY)
Castle	Gekas	Lightfoot
Chabot	Geren	Lincoln
Chambliss	Gilchrest	Linder
Chapman	Gilman	Lipinski
Christensen	Gonzalez	Livingston
Chrysler	Goodlatte	LoBiondo
Clayton	Goodling	Lofgren
Clinger	Gordon	Longley
Coble	Goss	Lowey
Coburn	Graham	Lucas
Coleman	Green	Luther
Collins (GA)	Greenwood	Maloney
Collins (MI)	Gunderson	Manton
Combest	Hall (OH)	Manzulio
Condit	Hall (TX)	Markey
Cooley	Hamilton	Martinez
Costello	Hancock	Martini

Mascara	Poshard	Spence
Matsui	Pryce	Spratt
McCarthy	Quillen	Stearns
McCollum	Quinn	Stenholm
McCrery	Radanovich	Stokes
McDade	Rahall	Studds
McHale	Ramstad	Stump
McInnis	Rangel	Stupak
McKeon	Reed	Talent
McKinney	Regula	Tanner
Meehan	Richardson	Tate
Meek	Riggs	Tauzin
Metcalf	Rivers	Taylor (NC)
Meyers	Roberts	Thomas
Mica	Roemer	Thornberry
Miller (CA)	Rogers	Thornton
Miller (FL)	Rohrabacher	Thurman
Mineta	Ros-Lehtinen	Tiaht
Minge	Rose	Torres
Mink	Roth	Torricelli
Mollohan	Roukema	Towns
Montgomery	Roybal-Allard	Trafficant
Moorhead	Royce	Upton
Moran	Salmon	Vucanovich
Morella	Sanders	Waldholtz
Murtha	Sawyer	Walsh
Myers	Saxton	Wamp
Myrick	Schaefer	Ward
Nadler	Schiff	Watt (NC)
Nethercutt	Schumer	Watts (OK)
Neumann	Scott	Waxman
Norwood	Seastrand	Weldon (FL)
Nussle	Sensenbrenner	Weldon (PA)
Obey	Serrano	Weller
Olver	Shadegg	White
Orton	Shaw	Whitfield
Oxley	Shays	Wicker
Packard	Shuster	Williams
Pallone	Sisisky	Wilson
Parker	Skaggs	Wise
Paxon	Skeen	Wolf
Payne (VA)	Skelton	Woolsey
Pelosi	Smith (MI)	Wyden
Peterson (FL)	Smith (NJ)	Wynn
Peterson (MN)	Smith (TX)	Yates
Petri	Smith (WA)	Young (AK)
Pomeroy	Solomon	Young (FL)
Portman	Souder	Zeliff

#### NOES—59

Abercrombie	Gillmor	Payne (NJ)
Ackerman	Gutierrez	Pickett
Chenoweth	Gutknecht	Pombo
Clay	Hastings (FL)	Rush
Clyburn	Hayworth	Sabo
Conyers	Hefley	Sanford
Cramer	Jacobs	Scarborough
Crane	LaFalce	Schroeder
Davis	Latham	Slaughter
DeFazio	Levin	Stark
Dingell	Lewis (GA)	Stockman
Ensign	McDermott	Taylor (MS)
Everett	McNulty	Torkildsen
Fazio	Menendez	Velazquez
Filner	Mfume	Vento
Foglietta	Neal	Visclosky
Funderburk	Ney	Volkmer
Furse	Oberstar	Waters
Gephardt	Owens	Zimmer
Gibbons	Pastor	

#### ANSWERED "PRESENT"—1

Harman

#### NOT VOTING—20

Brown (CA)	Kaptur	Porter
Clement	Leach	Reynolds
Collins (IL)	McHugh	Tejeda
Fattah	McIntosh	Thompson
Fields (LA)	Moakley	Tucker
Frost	Molinari	Walker
Hilliard	Ortiz	

So the Journal was approved.

#### ¶123.12 MESSAGE FROM THE PRESIDENT—EXPORT ADMINISTRATION ACT

The SPEAKER pro tempore, Mr. BUNNING, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

As required by section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)) and section 401(c) of the National Emergencies

Act (50 U.S.C. 1641(c)), I transmit herewith a 6-month periodic report on the national emergency declared by Executive Order No. 12924 of August 19, 1994, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 29, 1995.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 104-120).

¶123.13 MESSAGE FROM THE  
PRESIDENT—U.S.-SOUTH AFRICA  
AGREEMENT ON NUCLEAR ENERGY  
USES

The SPEAKER pro tempore, Mr. BUNNING, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153 (b), (d)), the text of a proposed Agreement for Cooperation Between the United States of America and the Republic of South Africa Concerning Peaceful Uses of Nuclear Energy, with accompanying annex and agreed minute. I am also pleased to transmit my written approval, authorization, and determination concerning the agreement, and the memorandum of the Director of the United States Arms Control and Disarmament Agency with the Nuclear Proliferation Assessment Statement concerning the agreement. The joint memorandum submitted to me by the Acting Secretary of State and the Secretary of Energy, which includes a summary of the provisions of the agreement and various other attachments, including agency views, is also enclosed.

The proposed agreement with the Republic of South Africa has been negotiated in accordance with the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978 (NNPA) and as otherwise amended. In my judgment, the proposed agreement meets all statutory requirements and will advance the non-proliferation and other foreign policy interests of the United States. It provides a comprehensive framework for peaceful nuclear cooperation between the United States and South Africa under appropriate conditions and controls reflecting a strong common commitment to nuclear non-proliferation goals.

The proposed new agreement will replace an existing U.S.-South Africa agreement for peaceful nuclear cooperation that entered into force on August 22, 1957, and by its terms would expire on August 22, 2007. The United States suspended cooperation with South Africa under the 1957 agreement in the 1970's because of evidence that South Africa was embarked on a nu-

clear weapons program. Moreover, following passage of the NNPA in 1978, South Africa did not satisfy a provision of section 128 of the Atomic Energy Act (added by the NNPA) that requires full-scope IAEA safeguards in non-nuclear weapon states such as South Africa as a condition for continued significant U.S. nuclear exports.

In July 1991 South Africa, in a momentous policy reversal, acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and promptly entered into a full-scope safeguards agreement with the IAEA as required by the Treaty. South Africa has been fully cooperative with the IAEA in carrying out its safeguards responsibilities.

Further, in March 1993 South Africa took the dramatic and candid step of revealing the existence of its past nuclear weapons program and reported that it had dismantled all of its six nuclear devices prior to its accession to the NPT. It also invited the IAEA to inspect its formerly nuclear weapons-related facilities to demonstrate the openness of its nuclear program and its genuine commitment to non-proliferation.

South Africa has also taken a number of additional important non-proliferation steps. In July 1993 it put into effect a law banning all weapons of mass destruction. In April 1995 it became a member of the Nuclear Suppliers Group (NSG), formally committing itself to abide by the NSG's stringent guidelines for nuclear exports. At the 1995 NPT Review and Extension Conference it played a decisive role in the achievement of indefinite NPT extension—a top U.S. foreign policy and national security goal.

These steps are strong and compelling evidence that South Africa is now firmly committed to stopping the spread of weapons of mass destruction and to conducting its nuclear program for peaceful purposes only.

In view of South Africa's fundamental reorientation of its nuclear program, the United States proposes to enter into a new agreement for peaceful nuclear cooperation with South Africa. Although cooperation could have been resumed under the 1957 agreement, both we and South Africa believe that it is preferable to have a new agreement completely satisfying, as the proposed new agreement does, the current legal and policy criteria of both sides, and that reflects, among other things:

- Additional international non-proliferation commitments entered into by the parties since 1974, when the old agreement was last amended, including, for South Africa, its adherence to the Treaty on the Non-Proliferation of Nuclear Weapons;
- Reciprocity in the application of the terms and conditions of cooperation between the parties; and
- An updating of terms and conditions to take account of intervening changes in the respective

domestic legal and regulatory frameworks of the parties in the area of peaceful nuclear cooperation.

For the United States, the proposed new agreement also represents an additional instance of compliance with section 404(a) of the NNPA, which calls for an effort to renegotiate existing agreements for cooperation to include the more stringent requirements established by the NNPA.

The proposed new agreement with South Africa permits the transfer of technology, material, equipment (including reactors), and components for nuclear research and nuclear power production. It provides for U.S. consent rights to retransfers, enrichment, and reprocessing as required by U.S. law. It does not permit transfers of any sensitive nuclear technology, restricted data, or sensitive nuclear facilities or major critical components thereof. In the event of termination, key conditions and controls continue with respect to material and equipment subject to the agreement.

From the United States perspective the proposed new agreement improves on the 1957 agreement by the addition of a number of important provisions. These include the provisions for full-scope safeguard; perpetuity of safeguards; a ban on "peaceful" nuclear explosives; a right to require the return of exported nuclear items in certain circumstances; a guarantee of adequate physical security; and a consent right to enrichment of nuclear material subject to the agreement.

I have considered the views and recommendations of the interested agencies in reviewing the proposed agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the agreement and authorized its execution and urge that the Congress give it favorable consideration.

Because this agreement meets all applicable requirements of the Atomic Energy Act, as amended, for agreements for peaceful nuclear cooperation, I am transmitting it to the Congress without exempting it from any requirement contained in section 123 a. of that Act. This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Atomic Energy Act. The Administration is prepared to begin immediately the consultations with the Senate Foreign Relations and House International Relations Committees as provided in section 123 b. Upon completion of the 30-day continuous session period provided for in section 123b, the 60-day continuous session period provided for in section 123 d. shall commence.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 29, 1995.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 104-121).